

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

NORTHSHORE INVESTORS, LLC, a Washington limited liability company, and NORTH SHORE GOLF ASSOCIATES, INC., a Washington corporation,

Plaintiffs,

V.

The CITY OF TACOMA, a Washington
municipal corporation.

Defendant.

Case No. C07-5629BHS

STIPULATION AND ORDER FOR
DISMISSAL WITHOUT PREJUDICE

[Clerk's Action Required]

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties hereby stipulate to the dismissal of Plaintiffs' Amended Complaint for Damages Pursuant to RCW 64.40 *et seq.*, 42 U.S.C. § 1983 and Tortious Interference (Amended Complaint) *without prejudice*. Each party is to bear its own costs.

DATED this ____ day of February, 2009.

SCHWABE, WILLIAMSON &
WYATT, P.C.

GORDON DERR, LLP

By: _____
Aaron M. Laing, WSBA #34453
Matthew A. Turetsky, WSBA #23611
*Attorneys for Plaintiff Northshore
Investors, LLC*

By: _____
Jay P. Derr, WSBA #12620
Dale N. Johnson, WSBA #26629
Attorneys for Defendant City of Tacoma

STIPULATION AND ORDER FOR DISMISSAL
WITHOUT PREJUDICE - 1

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1 TOUSLEY BRAIN STEPHENS, PLLC

2
3 By: _____
4 Christopher I. Brain, WSBA #5054
5 Paul W. Moomaw, WSBA #32728
Attorneys for Plaintiff North Shore Golf
Associates, Inc.

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7 **ORDER OF DISMISSAL**

8 THIS MATTER having come on before the Court by stipulation of the parties, and
9 the Court having reviewed the stipulation and the file, and being fully advised herein, now,
10 therefore,

11 IT IS HEREBY ORDERED that Plaintiff's Amended Complaint and all claims
12 asserted therein in this matter are dismissed *without prejudice* and without costs to any party.

13 DATED this 27th day of February, 2009.

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BENJAMIN H. SETTLE
United States District Judge

Presented by:

SCHWABE, WILLIAMSON & WYATT, P.C.

By: _____
Aaron M. Laing, WSBA #34453
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Attorneys for Plaintiff Northshore
Investors, LLC

STIPULATION AND ORDER FOR DISMISSAL
WITHOUT PREJUDICE - 2

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2 Approved as to form; Notice of presentation waived:
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4

5 TOUSLEY BRAIN STEPHENS, PLLC
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7

8 By: _____
9 Christopher I. Brain, WSBA #5054
10 Paul W. Moomaw, WSBA #32728
11 *Attorneys for Plaintiff North Shore Golf*
12 *Associates, Inc.*
13

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17 By: _____
18 Jay P. Derr, WSBA #12620
19 Dale N. Johnson, WSBA #26629
20 *Attorneys for Defendant City of Tacoma*
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22

23 STIPULATION AND ORDER FOR DISMISSAL
24 WITHOUT PREJUDICE - 3
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26 PDX/117426/155180/AAL/3318905.1

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2 **CERTIFICATE OF SERVICE**

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4 I hereby certify that on the 17th day of February, 2009, I caused to be served the
5 foregoing *STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE* on the
6 following parties at the following addresses:

7 **Via Mail and Electronic Service:**

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27 B. Eileen Brousseau

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